

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID THOMAS COOK,

Petitioner,

v.

KEVIN KAUFFMAN, et al.,

Respondents.

Civil Action No. 16-191 ERIE

ORDER


ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and the balance of record, **HEREBY ORDERS** as follows:

- (1) The Court **ADOPTS** the Report and Recommendation.
- (2) This petition for habeas corpus is **DISMISSED** for lack of timely filing.
- (3) A certificate of appealability is **DENIED** as to all claims.
- (4) This case is **CLOSED**.
- (5) The Clerk shall send copies of this Order to the parties.

IT IS SO ORDERED.

DATED this ¹⁴12 day of July, 2017.



BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE